

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

TERRILL A. BIRD, #397960,

Plaintiff,

Case No. 2:12-cv-238

v.

Honorable R. Allan Edgar

DONALD P. MANSFIELD, et al.,

Defendants.

**MEMORANDUM AND ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

On July 30, 2013, U.S. Magistrate Judge Timothy P. Greeley entered a Report and Recommendation ("R&R") recommending that Defendant Mansfield's motion for summary judgment be granted and that this case be dismissed. Doc. No. 24. In the R&R, Magistrate Judge Greeley recommends that Defendant Mansfield be dismissed because Plaintiff failed to exhaust his administrative remedies by failing to name Defendant Mansfield in a Step I grievance. Since the other two defendants in this case are unnamed and have not been served, Magistrate Judge Greeley recommended that the entire case be dismissed. Plaintiff has not filed any objections to the R&R.

After reviewing the record, the Court APPROVES and ADOPTS Magistrate Judge Greeley's R&R [Doc. No. 24] as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1) and W.D. Mich. L. Civ. R. 72.3(b). Plaintiff's case is DISMISSED WITHOUT PREJUDICE. A Judgment consistent with this Memorandum and Order will be entered.

SO ORDERED.

Dated: 9/5/2013

/s/ R. Allan Edgar
R. Allan Edgar
United States District Judge